



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

December 18, 2020

VIA ECF

Hon. John P. Cronan
United States District Judge
United States District Court
500 Pearl Street
New York, New York 10007

Re: Singh, et al. v. Barr, et al., No. 20 Civ. 6484 (JPC)

Dear Judge Cronan:

This Office represents the government in this action in which plaintiffs seek an order directing U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate their Petition for Alien Relative (Form I-130) and Application to Register Permanent Residence or Adjust Status (Form I-485). On behalf of the government, I write respectfully to request an on-consent extension of time of one-hundred four days to respond to the complaint (*i.e.*, from December 22, 2020 to April 5, 2021). I also respectfully request that the initial conference presently scheduled for December 29, 2020 be adjourned to a date at least one week after April 5, 2021.

The extension is respectfully requested because USCIS conducted an interview of plaintiffs earlier this week and determined that additional evidence was required for the adjudication. USCIS intends to issue a Request for Evidence (“RFE”) next week, and the plaintiffs will have thirty days to respond (plus an additional period of sixty days due to the COVID-19 pandemic). Thus, the government anticipates that the requested extension will provide adequate time for plaintiffs to provide the requested evidence and for USCIS to determine what next steps may be necessary or to proceed to adjudicate their applications, which would render this action moot.

This is the government’s first request for an extension of the deadline to respond to the complaint and to adjourn the initial conference. I have spoken with plaintiffs’ new counsel, who informed me that he represented the plaintiffs at the USCIS interview and that he anticipates entering his appearance in this matter by early next week. Plaintiffs’ counsel has consented to these requests.

I thank the Court for its consideration of this letter.

It is hereby ORDERED that Defendants' request for an extension is GRANTED. Defendants shall have until April 5, 2021 to respond to the Complaint. The conference scheduled for December 29, 2020 is ADJOURNED *sine die*. The parties shall submit a joint status report by April 13, 2021.

SO ORDERED.

Date: December 18, 2020
New York, New York

JOHN P. CRONAN
United States District Judge

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

By: s/ Michael J. Byars

MICHAEL J. BYARS
Assistant United States Attorney
Telephone: (212) 637-2786
Facsimile: (212) 637-2786
E-mail: michael.byars@usdoj.gov

cc: Counsel of record (via ECF)